

MEMORANDUM

Agenda Item No. 7(B)

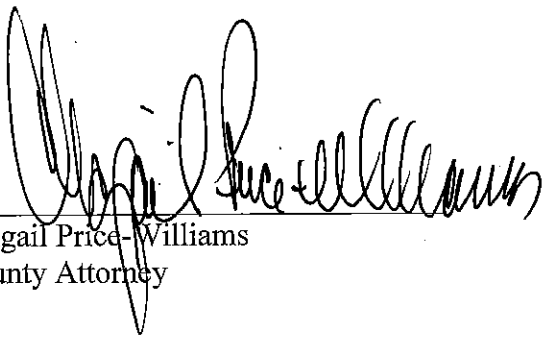
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: (Second Reading 11-1-16)
September 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to vehicles for hire; amending Chapter 31 of the Code, deleting the requirement that taxicabs be equipped with digital security camera systems and operable warning lights; deleting provisions that require taxicabs to operate a specified period of time; providing that vehicles which have previously been used in Miami-Dade County as a taxicab may be placed into service as a taxicab

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro, and Co-Sponsors Vice Chairman Esteban L. Bovo, Jr., Commissioner Jose "Pepe" Diaz, Commissioner Barbara J. Jordan, Commissioner Dennis C. Moss, Commissioner Rebeca Sosa and Commissioner Xavier L. Suarez.




Abigail Price-Williams
County Attorney

APW/cp

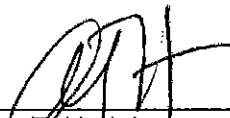
Memorandum



Date: November 1, 2016
To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners
From: Carlos A. Gimenez 
Mayor
Subject: Fiscal Impact Statement for Ordinance Relating to Vehicles for Hire

The proposed Ordinance amends Chapter 31 of the Code of Miami-Dade County relating to regulation of taxicabs by deleting the requirement that taxicabs must be equipped with security cameras and warning lights; eliminating the provision requiring that taxicabs be operated a minimum of nine months per year and allowing taxicab operators to bring a vehicle back into service that has been previously used as a taxicab in Miami-Dade County provided it meets the vehicle age requirements.

The proposed ordinance will not have a fiscal impact to the Miami-Dade County. The vehicles will continue being required to pass their annual inspection and pay the \$38.00 per vehicle inspection fee.



Aline T. Hudak
Deputy Mayor


FIS09516 161897

Memorandum



Date: November 1, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Social Equity Statement for Ordinance deleting requirements for digital security camera systems, operable warning lights; minimum operating period; and allowing vehicles previously used in Miami-Dade County as taxicabs to be placed into service

This item will create a cost savings to the taxicab industry by removing the requirement of expenses involved in installing digital security camera systems and warning lights. It will also provide financial relief to taxicab operators by allowing them to place back in to service vehicles that have been removed from service; thus avoiding the expense of purchasing newer vehicles. It will bring parity in County regulation of the for-hire transportation industry and allow for fair competition.


Alina T. Hudak
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 1, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(B)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No 7(B)
11-1-16

ORDINANCE NO. _____

ORDINANCE RELATING TO VEHICLES FOR HIRE;
AMENDING CHAPTER 31 OF THE CODE OF MIAMI-DADE
COUNTY, FLORIDA, DELETING THE REQUIREMENT THAT
TAXICABS BE EQUIPPED WITH DIGITAL SECURITY
CAMERA SYSTEMS AND OPERABLE WARNING LIGHTS;
DELETING PROVISIONS THAT REQUIRE TAXICABS TO
OPERATE A SPECIFIED PERIOD OF TIME; PROVIDING
THAT VEHICLES WHICH HAVE PREVIOUSLY BEEN USED
IN MIAMI-DADE COUNTY AS A TAXICAB MAY BE
PLACED INTO SERVICE AS A TAXICAB; PROVIDING
SEVERABILITY, INCLUSION IN THE CODE, AND AN
EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Chapter 31, Article II of the Code of Miami-Dade County, Florida, is
hereby amended to read as follows:¹

CHAPTER 31. VEHICLES FOR HIRE

* * *

**Article II. LICENSING AND REGULATION OF FOR-
HIRE MOTOR VEHICLES**

* * *

Section 31-82. For-hire licenses.

* * *

(o) For-hire taxicab license lottery and auctions.

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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- (7) Each taxicab operated pursuant to a for-hire license issued pursuant to the lotteries and auctions provided for in subsections (o)(5) and (o)(6) after September 1, 2010:
- (i) Shall within one hundred twenty (120) days from the issuance of the for-hire license be equipped with an operable mobile two-way radio or electronic dispatch system, installed and operating properly that is connected to and subscribed to service with a passenger service company that has a fixed-base call center operated twenty-four (24) hours a day, 365 days a year and by which a dispatcher may communicate with the taxicab chauffeur during all hours of vehicle operation to provide for-hire transportation to a passenger. Notwithstanding the foregoing, mobile two-way radio or electronic dispatch systems required by the preceding sentence shall, within eighteen (18) months of the issuance of the for-hire license, be integrated with a global positioning dispatch system capable of determining the location of each taxicab utilizing the system twenty-four (24) hours a day, 365 days a year;
 - (ii) Shall within one hundred twenty (120) days from the issuance of the for-hire license be equipped with an operable taximeter meeting the requirements described in this subsection. All customer receipts shall be generated by a taximeter or other electronic device, shall contain the fare charged, the name and telephone number of the passenger service company, the operating

permit number, the chauffeur registration number, date and time of transaction and the telephone number for filing complaints with the RER. In addition, all taximeters shall be programmed with the approved special service rates;

(iii) ~~[[Shall within twelve (12) months from the issuance of the for hire license be equipped with an operable digital security camera system ("DSCS");~~

~~(a) In addition to the following minimum requirements as provided by this subsection, the RER shall establish and issue regulations to govern the specifications, installation and maintenance of the security cameras and may, from time to time, revise such regulations.~~

~~(1) The camera must record sharp, undistorted original still images that are reliable for identification of all individuals seated in any position inside the taxicab and under all lighting conditions including darkness with a strong rear light source.~~

~~(2) The DSCS shall record images and shall display at the top of each image the time/date, taxicab number, trigger source, and recording unit serial number.~~

~~(3) Storage capacity shall be, at a minimum, 4,000 images.~~

- (4) ~~When memory storage capacity is reached, the DSCS shall overwrite the oldest images as new images are recorded in sequence.~~
- (5) ~~Images shall be recorded and stored in a recording unit, within the vehicle, separate from the mounted camera. No image shall be transmitted from the recording unit to any other electronic device via the internet or any other means.~~
- (6) ~~The manufacturing process for the camera and the camera itself shall be certified by the International Organization for Standardization.~~
- (7) ~~The camera head housing and brackets shall be tamper-proof and securely mounted to the right of the rear view mirror. The installation shall provide unobstructed vision for the driver.~~
- (8) ~~The camera housing mounting brackets shall prevent any adjustment of camera aim except by certified installers.~~
- (9) ~~The recording unit housing and installation brackets must use tamperproof fasteners. The recording unit, and all cables, must be installed under the dash board and concealed from view.~~

~~(10) The DSCS shall contain a visual indication of system status readily visible to the chauffeur and enforcement personnel inspecting the vehicle from outside of the driver door.~~

~~(11) The DSCS and components shall be sufficiently shock-resistant to withstand typical vehicle movement and collisions.~~

~~(12) Image capture shall be linked to the following events: vehicle door openings and closings, meter engagement and activation of an emergency switch that is linked to the DSCS.~~

~~(13) Image access shall be provided only to law enforcement agencies.~~

~~(b) Notice of a digital security camera system and a privacy notice shall be prominently displayed within the taxicab, as required by regulations promulgated by RER;~~

(iv)] Shall within one hundred twenty (120) days from the issuance of the for-hire license be equipped with an operable credit card processing system. The credit card processing equipment shall allow the passenger to utilize the card in the rear compartment of the taxicab without handing the card to the chauffeur. Said equipment shall list tips, fare, tolls and port fees separately. In addition, said equipment shall have the ability to electronically authorize the transaction in a timely manner. The credit card processing equipment shall:

- (a) Provide for a printed receipt that shall contain the fare charged, the name and telephone number of the passenger service company, the operating permit number, the chauffeur registration number, date and time of transaction and the telephone number for filing complaints with the RER;
- (b) Be linked to the taximeter and include a global positioning system;
- (c) Display itemized fare information, provide for an ability to choose the payment form, and provide for the option of adding a gratuity;
- (d) Provide for a passenger information module with touch screen capability;
- (e) There shall be no additional charge added to the fare for the use of a credit card unless the County Commission has, to the extent permitted by Florida law, amended the fare schedule by resolution pursuant to Section 31-87, which regulates rates, to allow for an additional charge for the use of a credit card. No minimum charge may be imposed for the use of a credit card to pay a fare. A taxicab that accepts credit cards in payment of fares must post upon the vehicle the type of credit cards accepted for payment. The specifications of said posting shall be prescribed by the RER. The credit card payment process shall comply with the Payment Card Industry Data Security Standard or its equivalent; and

- (f) A taxicab equipped with a credit card processing system shall not be operated when the credit card processing system is not operational;

~~[(v)]~~ Shall within one hundred twenty (120) days from the issuance of the for hire license be equipped with operable warning lights for the purpose of advising others and law enforcement agents that an emergency situation exists within the vehicle.

- ~~(a)~~ The warning light system shall consist of two devices.

- ~~(b)~~ Such devices shall be mounted one at the front center of the vehicle, either on top of the bumper or in front of or behind the grill. The second device shall be mounted on top of the rear bumper, to the left of the license plate.

- ~~(c)~~ The device shall display flashing red lights which shine on the roadway under the vehicle.

- ~~(d)~~ The activation switch for said device shall be placed within close proximity of the operator of the vehicle and shall be silent when initiated.]]

Any vehicle which fails to comply with any of the requirements imposed by this subsection (o)(7)(i)-~~[(v)]~~ >>(iii)<< shall be removed from service until such time as the vehicle is in compliance with said requirements.

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- (s) As part of the annual renewal of a for-hire license, each operator shall certify on a form provided by the CSD the number of months during the preceding year that he >><< ~~[[or]]~~ she >>or it<< operated and provided the service

~~authorized by the for-hire license. [[Failure to certify within the thirty day grace period for renewal or failure to operate for at least five (5) months during the year period shall result in automatic revocation of the for-hire license. The foregoing notwithstanding, for for-hire licenses expiring January 31, 1991, or later, failure to operate for at least nine (9) months during the preceding year shall result in automatic revocation of such license. Operations within the thirty day grace period provided in subsection (i) shall not be counted for purposes of determining compliance with the requirements of the two (2) preceding sentences.]]~~

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Sec. 31-89. - Vehicle Standards.

* * *

- (c) *Required Technology.* Beginning twenty-four (24) months after the effective date of this ordinance, any taxicab that picks up passengers in Miami Dade County shall be required to have the following required technology:

* * *

- (4) ~~>>Reserved<< [[Digital Security Camera System. Taxicabs shall have an operable digital security camera system in accordance with the requirements stated in Chapter 31, Section 31-82(o)(7)(iii) of the Code of Miami Dade County. Notwithstanding any provision to the contrary, the requirements of this subsection shall not take effect until thirty (30) months after the effective date of this ordinance]];~~

- (5) ~~>>Reserved<< [[Warning Lights. Taxicabs shall be equipped with operable warning lights, in accordance with the requirements stated in Chapter 31-82(o)(7)(v) of the Code of Miami-Dade County for the purpose of advising others and law enforcement agents that an emergency situation exists within the vehicle. Notwithstanding any provision to the contrary, the requirements of this subsection shall not take effect until thirty (30) months after the effective date of this ordinance]];~~

* * *

- (f) Taxicab vehicle age limits and inspection schedules. Taxicab vehicle age limits and frequency of for-hire inspections are as follows provided, however, that the RER may inspect a for-hire vehicle at any time. Any vehicle initially placed into service, shall not have been previously used as a taxicab >>outside of Miami-Dade County<<, or have a "rebuilt" or "salvage" title and shall be no greater than ten (10) model years of age. Any vehicle over ten (10) model years of age shall not be operated as a taxicab.

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Sec. 31-93. Special provisions.

* * *

- (b) Ambassador Cabs. Any taxicab licensed pursuant to Section 31-82 of this article and meeting all standards set forth in Section 31-89 of this article shall seek and receive authorization to provide transportation of persons and their baggage from Miami International Airport and from the Port of Miami. The transportation of persons and baggage from Miami International Airport or from the Port of Miami shall constitute an agreement by the operator that he/she/it will conform and cause the chauffeur driving such taxicab to conform to such terms, conditions, and fees. Notwithstanding any provision to the contrary, any taxicab for-hire license holder who seeks authorization to pick-up passengers at Miami International Airport and the Port of

Miami utilizing his/her/its taxicab shall be required to register with the RER and comply with and abide by the standards set forth below. Taxicabs authorized to provide taxicab service at Miami International Airport and the Port of Miami shall be designated as Ambassador Cabs. For purposes of this Article, the Miami Intermodal Center (MIC) shall be considered part of Miami International Airport, and all taxicabs which provide taxicab service from the MIC shall be subject to all provisions governing taxicab service at Miami International Airport. Twelve (12) months after the effective date of this ordinance all taxicabs transporting persons and their baggage from Miami International Airport or from the Port of Miami shall be registered as Ambassador Cabs. Ambassador Cabs shall comply with the following requirements:

* * *

- (4) >>Reserved<< [~~[[Digital Security Camera System. Ambassador Cabs shall have an operable digital security camera system in accordance with the requirements stated in Chapter 31, Section 31-82(o)(7)(iii) of the Code of Miami Dade County. Notwithstanding any provision to the contrary, the requirements of this subsection shall not take effect until twenty-four (24) months after the effective date of this ordinance]];~~
- (5) >>Reserved<< [~~[[Warning Lights. Ambassador Cabs shall be equipped with operable warning lights, in accordance with the requirements stated in Chapter 31-82(o)(7)(v) RER of the Code of Miami Dade County for the purpose of advising others and law enforcement agents that an emergency situation exists within the vehicle. Notwithstanding any provision to the contrary, the requirements of this subsection shall not take effect until twenty-four (24) months after the effective date of this ordinance]];~~

* * *

- (8) *Vehicle Age Requirements and Standards.* Any Ambassador Cab initially placed into service shall not have been previously used as a taxicab >>outside of Miami-Dade County<<, or have a "rebuilt" or "salvage" title, and shall be no greater than ten (10) model years of age. Any vehicle over ten (10) model years of age shall not operate as a taxicab at either Miami International Airport or the Port of Miami.

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Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

ADW

Prepared by:

GKS

Gerald K. Sanchez

Prime Sponsor: Commissioner Bruno A. Barreiro
Co-Sponsors: Vice Chairman Esteban L. Bovo, Jr.
Commissioner Jose "Pepe" Diaz
Commissioner Barbara J. Jordan
Commissioner Dennis C. Moss
Commissioner Rebeca Sosa
Commissioner Xavier L. Suarez